

**UNITED STATES DISTRICT COURT**  
**SOUTHERN DISTRICT OF GEORGIA**  
**SAVANNAH DIVISION**

KENNETH EDWARD BARBOUR,	)	
	)	
Plaintiff,	)	
	)	
v.	)	Case No. CV410-044
	)	
MS. STAUGHBURY and WRSP	)	
WARDEN GENE M. JOHNSON,	)	
individually and in their official	)	
capacities,	)	
	)	
Defendants.	)	

**REPORT AND RECOMMENDATION**

Civil rights plaintiff Kenneth Edward Barbour has submitted for filing a 42 U.S.C. § 1983 complaint concerning allegations of government misconduct arising in Big Stone Gap, Virginia, which is in the Western District of Virginia. (Doc. 1.) Since his claims arise from events that occurred in Big Stone Gap and the defendants are located there, the proper forum for the action is in the Western District of Virginia, Big Stone Gap Division. 28 U.S.C. § 1391(b) (venue); 28 U.S.C. § 1406 (permitting district courts to dismiss or transfer cases suffering from venue defects); 28 U.S.C. § 127 (establishing districts and divisions for Virginia's federal courts).

Accordingly, the Court **RECOMMENDS** that this case be transferred to the Big Stone Gap Division of the Western District of Virginia for all further proceedings.

**SO REPORTED AND RECOMMENDED** this 11th day of March, 2010.



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UNITED STATES MAGISTRATE JUDGE  
SOUTHERN DISTRICT of GEORGIA